

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVE JONES,

Defendant.

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No. 02-CR-30145-WDS

MEMORANDUM & ORDER

Before the Court is defendant's motion for retroactive application of the Advisory Sentencing Guidelines (Doc. 261) and his motion to substitute attorney (Doc. 267).

Pursuant to Administrative Order 102 the Court appointed the Office of the Federal Public Defender to represent the defendant on his motion for retroactive application and sentence reduction. The case was assigned to Assistant Federal Public Defender Renee Schooley who concluded that the defendant did not qualify for a reduction, and therefore did not file a supplement to defendant's motion.

The Seventh Circuit has held that "the amendments [to the Advisory Sentencing Guidelines for crack cocaine offenses] leave the career-offender guideline unchanged" *United States v. Griffin*, 652 F.3d 793, 803 (7th Cir. 2011). A review of the record reveals that the defendant was sentenced as a career offender, so the relief which the defendant seeks is not available to him. Therefore, the Court **FINDS** that the defendant is ineligible for a reduction under any of the amendments to the Advisory Sentencing Guidelines for crack cocaine offenses. Accordingly, the Court **DENIES** his motion for retroactive application of the sentencing guidelines, and further, **DENIES** as moot his motion for substitution of attorney.

IT IS SO ORDERED.

DATE: 4 April, 2012

s/ WILLIAM D. STIEHL
DISTRICT JUDGE